



**US Army Corps  
of Engineers.**  
Philadelphia District

Wanamaker Building  
100 Penn Square East  
Philadelphia, PA 19107-3390  
ATTN: CENAP-OP-R

# Public Notice

Public Notice No. \_\_\_\_\_ Date \_\_\_\_\_

**CENAP-OP-R-200600616-26**

**JUN 02 2006**

Application No. \_\_\_\_\_

File No. \_\_\_\_\_

In Reply Refer to:

**REGULATORY BRANCH**

This District has received an application for a Department of the Army permit pursuant to Section 10 of the Rivers and Harbors Act of 1899 (33 U.S.C. 1344).

The purpose of this notice is to solicit comments and recommendations from the public concerning issuance of a Department of the Army permit for the work described below.

APPLICANT: City of Lewes Board of Public Works

AGENT: George, Miles, and Buhr, LLC  
206 West Main Street  
Salisbury, MD 21801

WATERWAY: Lewes and Rehoboth Canal

LOCATION: City of Lewes, Pump Station No. 4 located on the south side of the Lewes & Rehoboth Canal at the intersection of Business Route 9 and Gills Neck Road, Lewes, Lewes and Rehoboth Hundred, Sussex County, Delaware.

ACTIVITY: As depicted on Enclosures 1-5, dated September 5, 2005, the applicant proposes to install a new 14" HDPE SDR 11 sanitary force main from Pump Station No. 4 via directional drilling method. The force main will connect to existing magnetic meter at the City of Lewes Wastewater Treatment Facility. Alignment of the proposed force main will be under the Lewes and Rehoboth Canal, then through Corps of Engineers (Parcel 3-35, 8.08, 150.0) and City of Lewes (Parcel 3-35, 8.08, 1.0) properties ending at the Waste water Treatment Facility. The entry and exit directional drill pits will occur in upland, no wetland will be impacted by the proposed work.

PURPOSE: Install a 14" sanitary force main as replacement for an existing 12" sanitary force main at Pump Station No. 4. Proposed force main will replace deteriorated existing force main and will be able to accommodate present and future flows generated by the City of Lewes.

A preliminary review of this application indicates that the proposed work would not affect listed species or their critical habitat pursuant to Section 7 of the Endangered Species Act as amended. As the evaluation of this application continues, additional information may become available which could modify this preliminary determination.

The decision whether to issue a permit will be based on an evaluation of the activity's probable impact including its cumulative impacts on the public interest. The decision will reflect the national concern for both protection and utilization of important resources. The benefits which reasonably may be expected to accrue from the work must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the work will be considered including the cumulative effects thereof; among those are conservation, economics, aesthetics, general environmental concerns, wetlands, cultural values, fish and wildlife values, flood hazards, flood plain values, land use, navigation, shore erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, mineral needs and welfare of the people. A Department of the Army permit will be granted unless the District Engineer determines that it would be contrary to the public interest.

The Corps of Engineers is soliciting comments from the public; Federal, State, and local agencies and officials; Indian Tribes; and other interested parties in order to consider and evaluate the impacts of this proposed activity. Any comments received will be considered by the Corps of Engineers to determine whether to issue, modify, condition or deny a permit for this proposal. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity.

Comments on the proposed work should be submitted, in writing, within 15 days to the District Engineer, U.S. Army Corps of Engineers, Philadelphia District, Wanamaker Building, 100 Penn Square East, Philadelphia, Pennsylvania 19107-3390.

Review of the National Register of Historic Places indicates that no registered properties or properties listed as eligible for inclusion therein are located within the permit area of the work.

The Magnuson-Stevens Fishery Conservation and Management Act, as amended by the Sustainable Fisheries Act 1996 (Public Law 104-267), requires all Federal agencies to consult with the National Marine Fisheries Service on all actions, or proposed actions, permitted, funded, or undertaken by the agency that may adversely effect Essential Fish Habitat (EFH). Review of the proposed work finds the proposed work does not have direct, indirect, site-specific, or habitat-wide impacts on EFH. The proposed project would not eliminate, diminish, nor disrupt the functions of EFH.

In accordance with Section 307(c) of the Coastal Zone Management Act of 1972, applicants for Federal Licenses or Permits to conduct an activity affecting land or water uses in a State's coastal zone must provide certification that the activity complies with the State's Coastal Zone Management Program. The applicant has stated that the proposed activity complies with and will be conducted in a manner that is consistent with the approved State Coastal Zone Management (CZM) Program. No permit will be issued until the State has concurred with the applicant's certification or has waived its right to do so. Comments concerning the impact of the proposed and/or existing activity on the State's coastal zone should be sent to this office, with a copy to the State's Office of Coastal Zone Management.

In accordance with Section 401 of the Clean Water Act, a Water Quality Certificate is necessary from the State government in which the work is located. Any comments concerning the work described above which relate to Water Quality considerations should be sent to this office with a copy to the State.

The evaluation of the impact of the work described above on the public interest will include application of the guidelines promulgated by the Administrator, U.S. Environmental Protection Agency, under authority of Section 404(b) of the Clean Water Act.

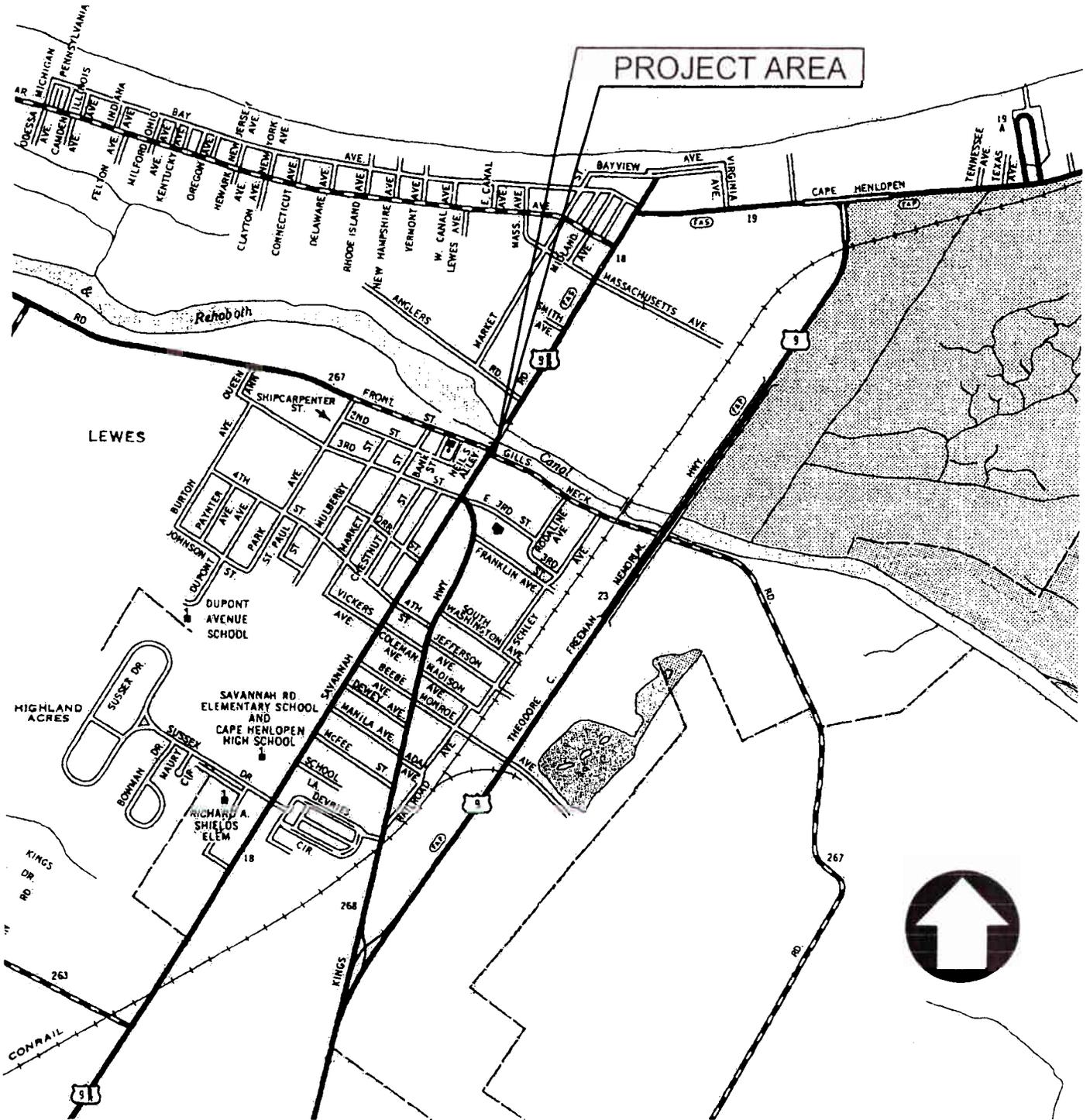
Any person may request, in writing, to the District Engineer, within the comment period specified in this notice, that a public hearing be held to consider this application. Requests for a public hearing shall state in writing, with particularity, the reasons for holding a public hearing.

Additional information concerning this permit application may be obtained by calling Kevin E. Faust at (302) 736-9763 between the hours of 1:00 and 3:30 p.m. or writing this office at the above address.



Frank J. Cianfrani  
Chief, Regulatory Branch

LATITUDE N 38° 46.54'  
 LONGITUDE W 75° 8.29'



DRAWN BY: TR  
 CK. BY: SEM  
 JOB NO: 2094002  
 SCALE: 1" = 1600'  
 DATE: SEPT 2005

**GMB**  
 GEORGE, MILES & BUHR, LLC  
 ARCHITECTS & ENGINEERS  
 SALISBURY • WILMINGTON • LEWES • SEAFORD • YORK  
 www.gmbnet.com

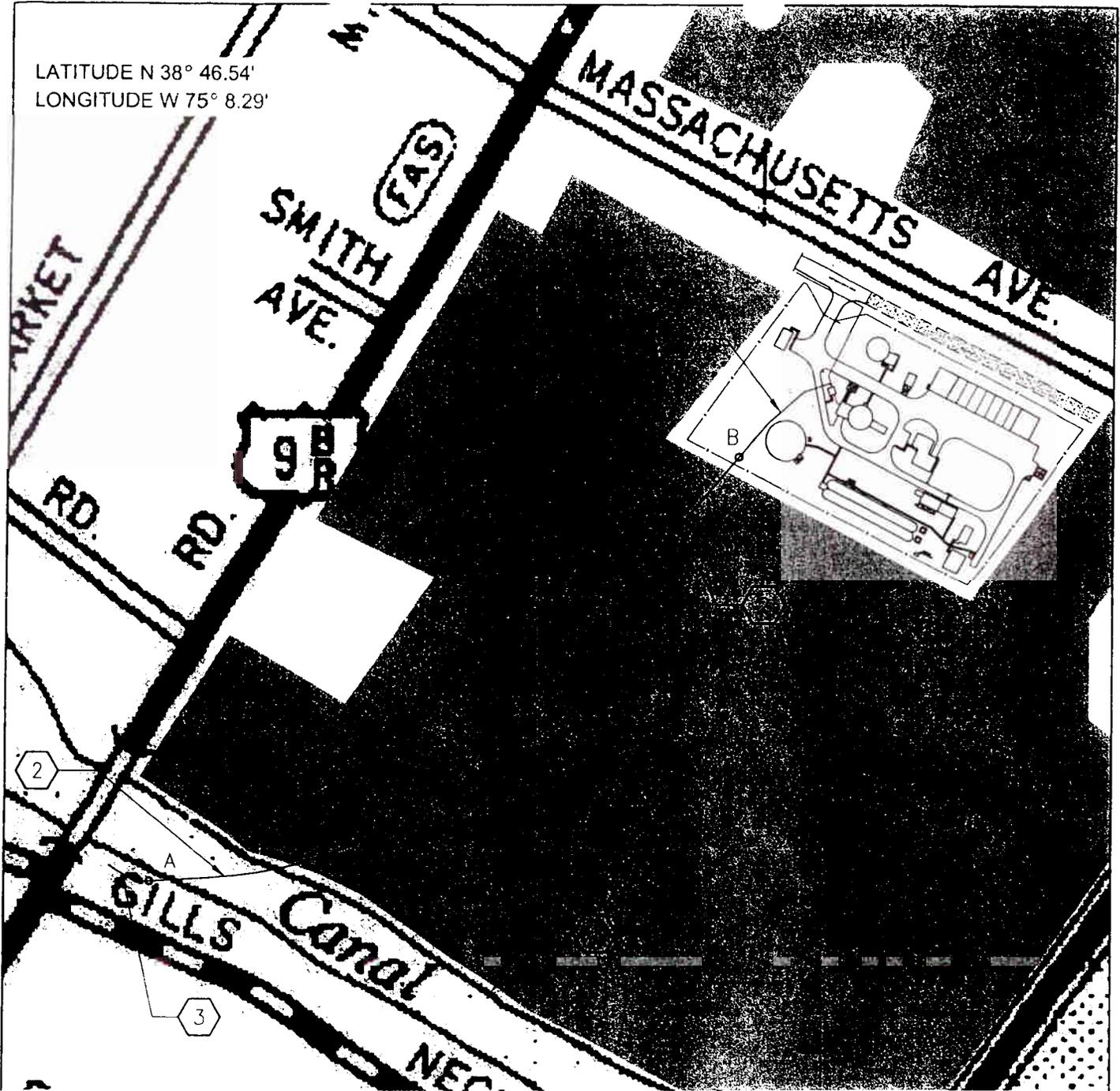
LEWES BOARD OF  
 PUBLIC WORKS  
 LEWES, DELAWARE

VICINITY MAP

1 OF 5

DRAWING NO.

LATITUDE N 38° 46.54'  
 LONGITUDE W 75° 8.29'



## DRAWING NOTES

- 1 APPROXIMATE CORPUS JURISDICTIONAL AREA, TIDAL WETLANDS, SPARTINA ATTERNIFLORA
- 2 PROPOSED FORCE MAIN LOCATION (DIRECTIONAL DRILL) – BETWEEN A AND B
- 3 PROPOSED FORCE MAIN LOCATION (OPEN CUT) – IN UPLANDS ONLY
- 4 APPROXIMATE WETLANDS LINE



DRAWN BY:	TR
CK. BY:	SEM
JOB NO.:	20040021
SCALE:	1" = 50'
DATE:	SEPT 2005

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 ARCHITECTS & ENGINEERS  
 CORPORATION - LEWES - SEAFORD - YORK  
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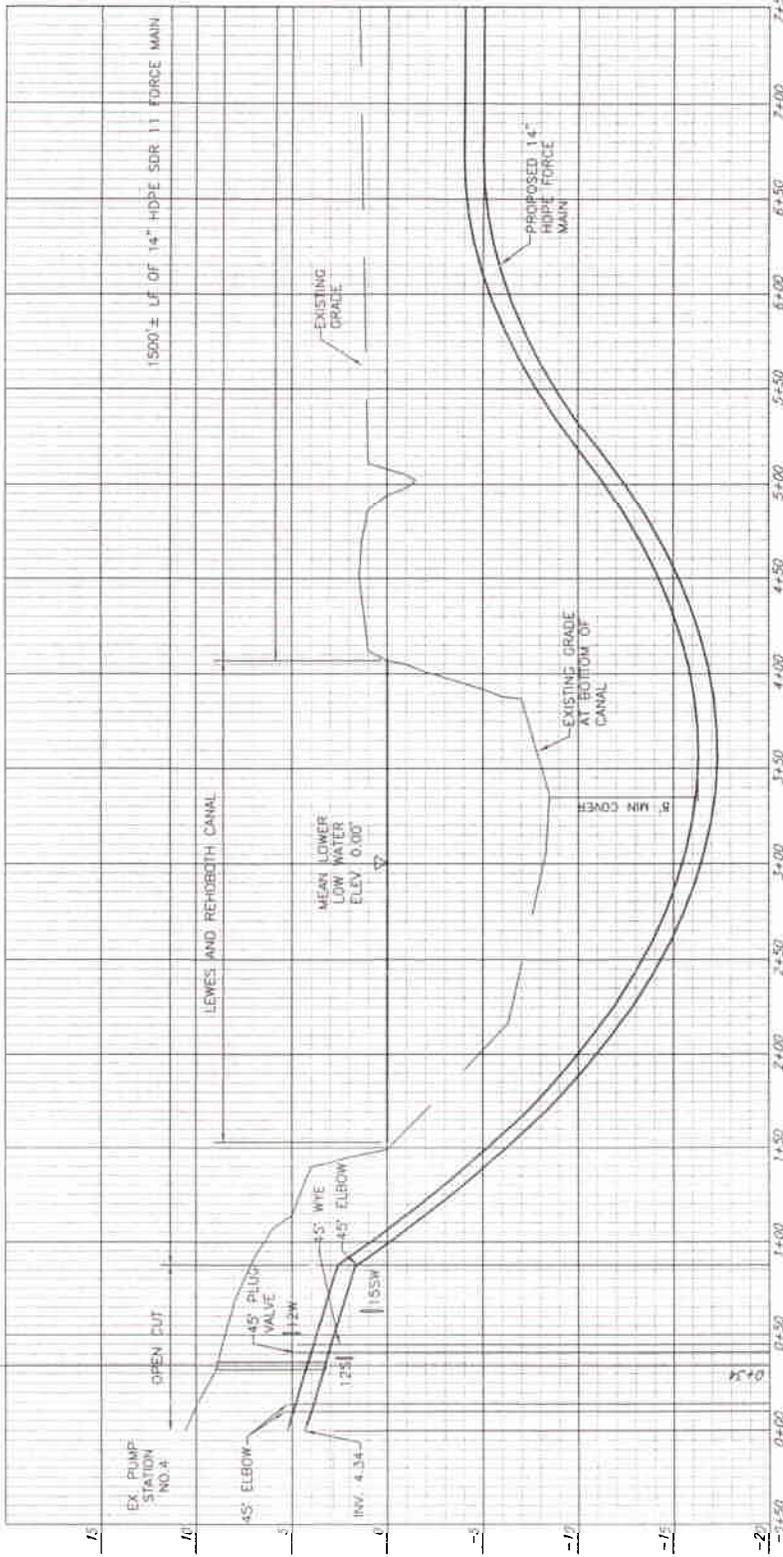
LEWES BOARD OF  
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 LEWES, DELAWARE

SITE PLAN

2 OF 5

DRAWING NO.

MATCH LINE STA. 7+50 - SEE SHEET 4



### FORCE MAIN PROFILE - P.S. NO.4 TO WASTE WATER TREATMENT FACILITY

SCALE: 1" = 100' HORIZONTAL  
 1" = 10" VERTICAL

DATUM (REFERRED TO MLLW) ELEVATION IN FEET

HIGHEST OBSERVED WATER LEVEL (MHHW)	9.49
MEAN HIGHER HIGH WATER (MHHW)	4.73
MEAN HIGH WATER (MHW)	4.31
NAVD 88	2.91
MEAN TIDE LEVEL	2.24
NGVD 29	1.73
MEAN LOW WATER (MLW)	0.16
MEAN LOWER LOW WATER (MLLW)	0.00
LOWEST OBSERVED WATER LEVEL (01/10/1978)	-3.94

DATUM INFORMATION FOR THE TIDAL STATION AT BREAKWATER HARBOR, LEWES, DELAWARE  
 LOCATION OF THE STATION IS LATITUDE N 38° 48' 36", W 78° 07' 12"

DRAWN BY: TR

CK. BY:

JOB NO.: 2004002.1

SCALE: AS NOTED

DATE: FEB 2008



GEORGE MILES & BUHR, LLC  
 ARCHITECTS & ENGINEERS  
 BALTIMORE - LEWES - SCARFORD - YORK

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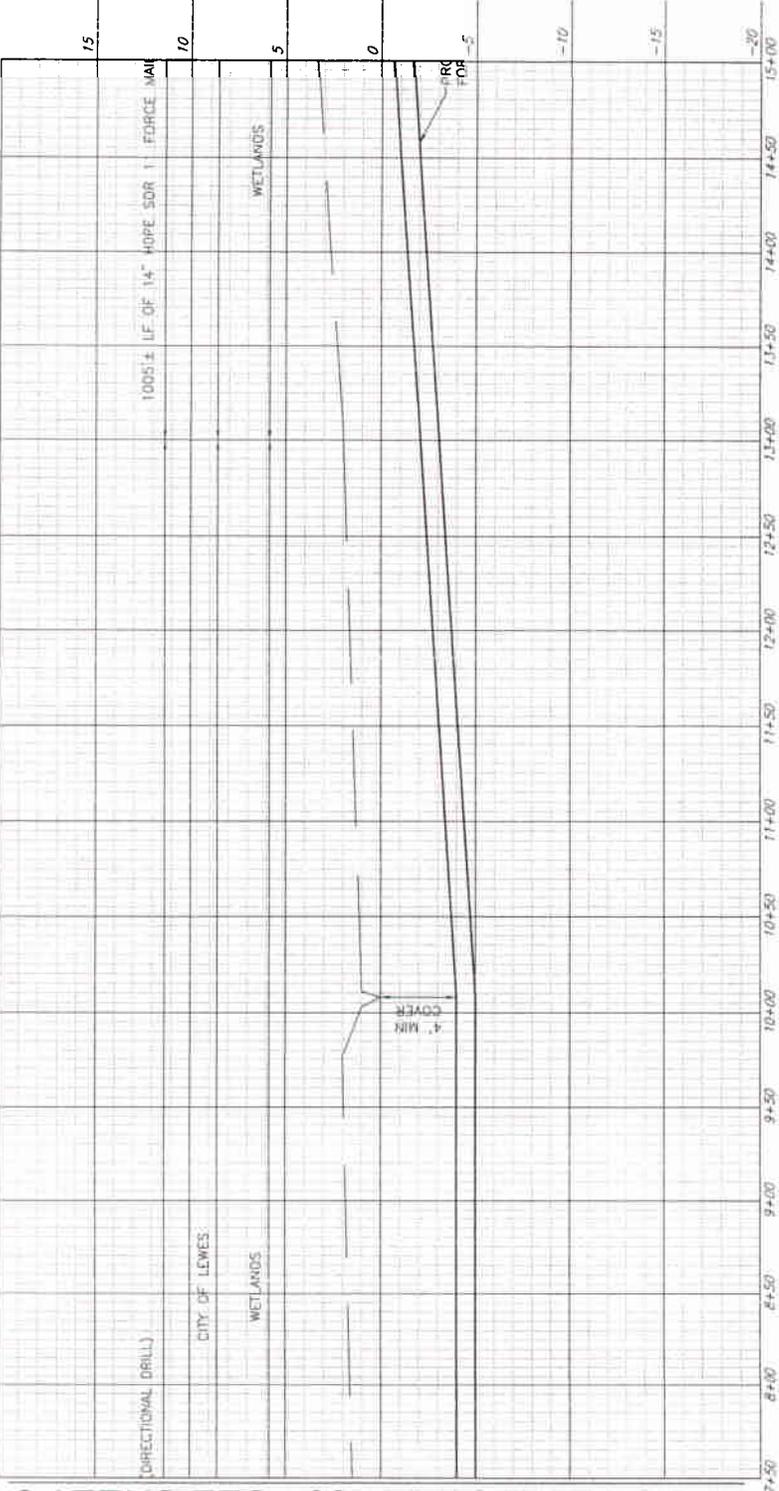
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LEWES, DELAWARE

BORING  
 PROFILE

3 OF 5

MATCH LINE STA. 15+00 - SEE SHEET 5



MATCH LINE STA. 7+50 - SEE SHEET 3

**FORCE MAIN PROFILE - P.S. NO.4 TO WASTE WATER TREATMENT FACILITY**

SCALE: 1" = 100' HORIZONTAL  
 1" = 10" VERTICAL

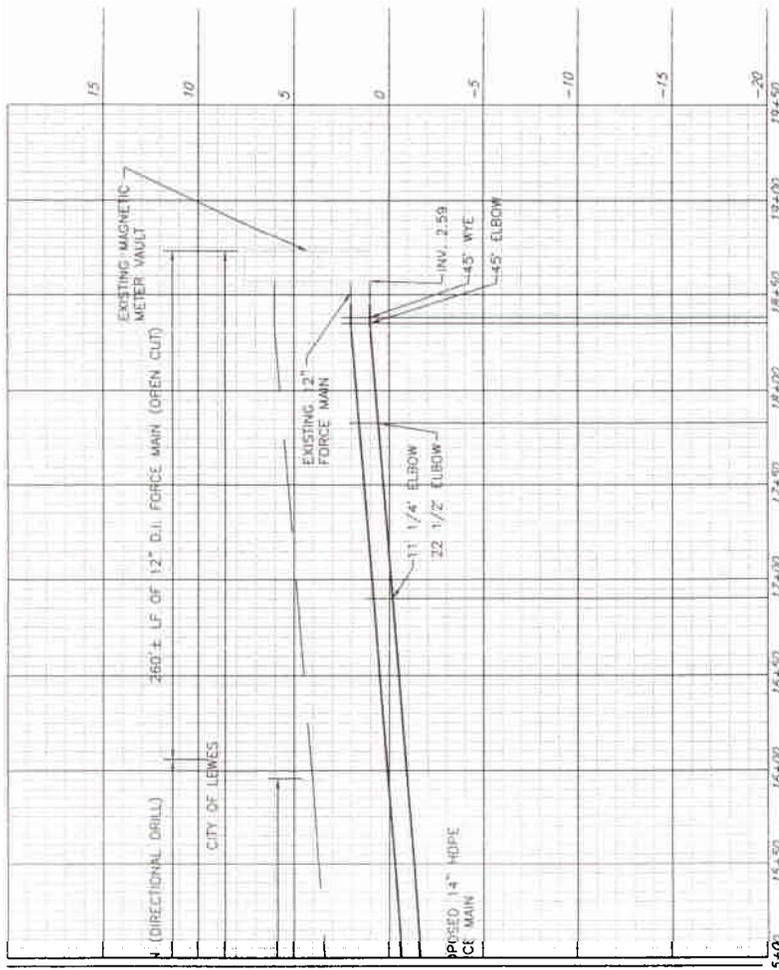
DRAWN BY:	IR
CK. BY:	
JOB NO.:	2004002
SCALE:	AS NOTED
DATE:	FEB 2006

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BORING  
 PROFILE

4 OF 5



MATCH LINE STA. 15+50 - SEE SHEET 4

**FORCE MAIN PROFILE - P.S. NO.4 TO WASTE WATER TREATMENT FACILITY**

SCALE: 1" = 100' HORIZONTAL  
 1" = 10" VERTICAL

DRAWN BY:	TR
CHK BY:	
DWG NO.:	2004002J
SCALE:	AS NOTED
DATE:	FEB 2006



LEWES BOARD OF PUBLIC WORKS  
 LEWES, DELAWARE

BORING PROFILE

5 OF 5  
 DRAWING NO.